

FILED

APR 29 PM 4:00  
RICHARDS vs. ASTRUE  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Larry Richards, Pro Se, In Propria Persona, Counsel of Record for the Plaintiff, Larry Richards and IF APPOINTED  
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT: Ms. Georgeana K. Roussos, Attorney-At-Law;  
(415) 252-1922; The Roussos Law Firm, 77 McAllister, Second Floor, San Francisco, California 94102

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

Larry Richards, Pro Se, In Propria Persona,  
2625 Alcatraz Avenue #317, Berkeley,  
California 94705-2702, AND IN CARE OF:  
Ms. Georgeana Roussos, 77 McAllister, Second  
Floor, San Francisco, California 94102,  
Plaintiff, Pro Se,

Case No.: **CV-08-1532** PJH?  
Or **SBA?**

Pro Se Plaintiff Larry Richards'

**EX PARTE MOTION**

**FOR EXTREME LENIENCY FOR THE  
COURT RULES AND FEDERAL RULES  
OF CIVIL PROCEDURE BECAUSE OF  
THE EXTREME SEVERE DISABILITIES  
OF THE PRO SE PLAINTIFF AND HIS  
INABILITY TO COMPLY WITH  
TIMELIMITS IN THIS CASE.**

E-filing

Vs.

1.) MICHAEL J. ASTRUE, COMMISSIONER,  
Social Security Administration, And  
2. -50.) DOE(S) defendants, named, unknown  
persons, In Care Of: UNITED STATES  
ATTORNEY, Attention: Social Security  
Defense Attorney, 450 Golden Gate, San  
Francisco, California 94102,  
Defendants, Et. Al.

As Plaintiff has greatly diminished in both his  
Physical and Mental capacities since the  
previous filing of the Petitions in the previous  
related case #98-4132CAL

**Plaintiff's EX PARTE MOTION FOR EXTREME LENIENCY FOR THE FRCP RULES:****COMES NOW**, the Pro Se, In Propria Persona, Plaintiff Larry Richards and HEREBY,

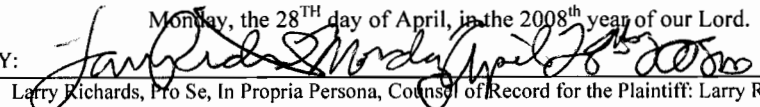
MOVES this Honourable Court to Immediately, UNDERSTAND the EXTREME WEAKNESS OF  
THIS PLAINTIFF, AND WAIVE THE STRINGENT RULES OF THIS COURT IN BOTH THE  
FEDERAL RULES OF CIVIL PROCEDURE (FRCP) and the CIVIL LOCAL RULES of BOTH  
THIS COURT AND THIS JUDGE, particularly in regard to timelimits. This completely disabled  
Plaintiff, in relentless pain, is facing major surgery – which was one of the reasons why the  
Application for TRO was written, and Pro Se Plaintiff now LACKS the Physical and Mental abilities  
that he once had to proceed before this Court. The Plaintiff was fairly competent during his  
arguments and presentation of his previous related case of #98-4132CAL. Clearly the Plaintiff was  
unsuccessful even at that former level of competence to understand all of the FRCP and comply with  
them, PARTICULARLY THE TIME SCHEDULE THAT THIS CASE IS NOW UPON. THIS  
ALONE, PRO SE, PLAINTIFF SIMPLY CANNOT MAINTAIN AND KEEP THE TIMELINESS  
SCHEDULE OF THIS CASE AND CANNOT KEEP THE FRCP TIMELIMITS. The Pro Se  
Plaintiff ACKNOWLEDGES THAT THERE IS LITTLE OR NO PRECEDENT IN STATUTORY

OR CASE LAW FOR THIS LENIENCY, in fact there seems to be just the exact opposite: for example *Ruiz-Rivera v. Riley*, 209 F.3d 24, 28, n.2 (1st Cir.2000)(quoting *FDIC v. Anchor Props.*, 13 F.3d 27, 31 (1st Cir.1994)(explaining that a litigant's pro se status does not absolve him or her from compliance with the Federal or Local Rules of Civil Procedure). HOWEVER, this litigant's **DISABLED STATUS** must be the controlling factor here. THIS PLAINTIFF just quite simply cannot comply with the time limits necessary in this case-at-bar; and the Americans With Disabilities Act (ADA) requires this Court to allow ACCESS to this Court for the DISABLED Plaintiff. Plaintiff would argue that this ADA ACCESS should be expanded to INTELLECTUAL ACCESS to this Honourable Court!! And therefore allow tolerance for the Plaintiff's disabilities in *timely* accessing this Court. The Plaintiff is already at his physical, mental, and emotional wit's end and is barely able to proceed due to the stresses upon him and this case has not even been served upon the Defendants yet!! Basically this Plaintiff is requesting that the Court tell him what to do and Plaintiff will estimate how long it will take him to COMPLY. {Plaintiff would remind this Court that he has submitted two separate motions UNDER 5 USC §§ 504, 554 for the Appointment of two HIGHLY COMPETENT ATTORNEYS: Ms. Georgeana Roussos for the Social Security issues, and any Civil Rights Attorney for the OVERARCHING CIVIL RIGHTS/FRAUD issues PURSUANT to the EQUAL ACCESS TO JUSTICE ACT, 5 USC §§ 504 and 554 *inter alia*. These two motions to appoint attorneys are not just for the success of the Plaintiff; but clearly they are also FOR THE CONVENIENCE OF THE COURT. Plaintiff also reminds this Honourable Court of the difficulties in this case in that the Plaintiff CANNOT open a NEW APPLICATION and have Ms. Roussos or any attorney, even though they are certainly well qualified Attorneys, named as the Attorney of Record for that NEW APPLICATION, because under the Rules of the Social Security Administration the very act of opening a NEW APPLICATION AUTOMATICALLY INVOKES RES JUDICATA thereby destroying the REPRESENTATIONS of the SSA Defendants to go back to the January 6<sup>th</sup>, 1987 Request for Reconsideration and correct their **ERRORS** and pay the Plaintiff his Backpayments and Current Payments. **RESPECTFULLY SUBMITTED:**

Signed, Sworn, and Dated in San Francisco, California on this

Monday, the 28<sup>TH</sup> day of April, in the 2008<sup>th</sup> year of our Lord.

BY:

  
Larry Richards, Pro Se, In Propria Persona, Counsel of Record for the Plaintiff: Larry Richards  
and IF APPOINTED PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT:

Ms. Georgeana Roussos, 77 McAllister, Second Floor; San Francisco, California 94102

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